

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

STATE OF TEXAS, et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 6:23-cv-161-JDK
	§	
CHIQUITA BROOKS-LASURE, et al.,	§	
	§	
Defendants.	§	
	§	

**ORDER DENYING MOTION TO CLARIFY**


The Court preliminarily enjoined Defendants from “implementing or enforcing” a recent Informational Bulletin addressing certain hold harmless arrangements. Docket No. 31.

Defendants have since filed a “conditional motion to clarify” the scope of the preliminary injunction. Docket No. 34. In their motion, Defendants set out their understanding of (1) the geographic scope—that the injunction is “geographically limited to the State of Texas”—and (2) the substantive scope—that the injunction “prohibit[s] the federal government from taking any actions with respect to the State of Texas that depend on the legal interpretation articulated in the informational bulletin.” *Id.* at 1–4. Defendants request “clarification from the Court if [these] understanding[s] . . . [are] incorrect.” *Id.* at 2, 4.

In their response, Plaintiffs do not appear to dispute either of Defendants' interpretations. Docket No. 38 at 3–5. Accordingly, the Court finds that a clarification is unnecessary and **DENIES** the motion.

Plaintiffs also express concern that Defendants are attempting to modify the injunction to “do precisely what the injunction says they may not do.” *Id.* at 6–7. Plaintiffs argue that, if Defendants want a modification, they must demonstrate that the facts or law have changed in a way that would justify the modification. *Id.* at 7 (citing *Canal Auth. of State of Fla. v. Callaway*, 489 F.2d 567, 578 (5th Cir. 1974)). The Court agrees. To the extent Defendants are requesting a modification of the preliminary injunction, the request is **DENIED**. Defendants may seek a modification with a proper showing if the facts or law necessitate.

So **ORDERED** and **SIGNED** this **3rd** day of **August, 2023**.

  
JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE